



FREMONT PLANNING BOARD
December 12, 2007
Meeting Minutes
Approved January 9, 2008

Present: Chairman Larry Stilwell, Co-chairman Roger Barham, Member Leon Holmes, Jr., Member and CC Rep. Jack Karcz, Building Official Thom Roy and Land Use AA/Recording Secretary Meredith Bolduc.

Mr. Stilwell called the meeting to order at 7:00 pm.

MINUTES

The minutes of the November 28, 2007 meeting were not addressed as there were not enough Members present who were at that meeting. They will be addressed at the next meeting.

MASTER PLAN

Mr. Stilwell reported that the Board has received from Glenn Greenwood, Senior Planner with RPC, the Agreement for Professional Planning Assistance for revising the Land Use Chapter of the Master Plan. This agreement has been signed by Mr. Greenwood. The total amount for the chapter update is \$5,000, with \$2,500 paid from the Professional Services line of the current Planning Board budget and the matching \$2,500 funded by the Office of Environmental Planning (OEP) Targeted Block Grant (TBG). The project completion date is June 30, 2008.

Mr. Karcz made the motion that the Board authorize Mr. Stilwell to sign the agreement.

Motion seconded by Mr. Holmes.

Mr. Stilwell signed the agreement and it will be forwarded to the Board of Selectmen for their signatures, then to the Rockingham Planning Commission.

There was a brief conversation relative to matching funds and grants and Mr. Holmes asked if the Board is looking to use the CTAP allotment to fund the Impact Fee update. Mr. Stilwell stated that planner Bruce Mayberry was contacted earlier this fall. Mr. Mayberry stated that as a result of his review of the most recent CIP and some Master Plan chapters, an update could be done for approximately \$10,000 and he has expressed a willingness to meet with the Board to review the options.

CAPITAL IMPROVEMENTS PROGRAM (CIP)

Mr. Stilwell reported that 2008 CIP Program Capital Project worksheets and submission forms have been sent to all Town department heads along with a cover letter of explanation and request that the Planning Board receive the completed worksheet by January 15, 2008.

KINGMAN COURT

The Board received a November 28, 2007 correspondence from Shawn Senter requesting the bond to be released for Kingman Court. The letter was signed by Mr. Senter and co-signed by Road Agent Guerwood Holmes. This road was accepted at the March 2005 Town Meeting and although the letter did not specify, it was assumed that this is the 2 year maintenance bond. Mrs. Bolduc reported that she had related to Mr. Senter that the Board would probably want a final letter from the Town Engineer, and on Monday December 10, 2007 Mr. Holmes visited the Land Use Office and related that it is his opinion that an Engineer's report is not necessary for the 2 year maintenance to be released. It was noted that according to the November 29, 2007 Selectmen's minutes they will await the final Engineer report as well.

The Members agreed that there is no need for the Engineer to be re-involved, but there should be a written statement from the Road Agent stating verifying that the road condition is acceptable before the Board votes to release the 2 year maintenance bond. Mr. Senter and the Road Agent will be notified.

ZONING AMENDMENTS

Mr. Holmes asked which zoning amendments are now ready to be presented to the voters in March 2008. Mr. Stilwell answered that the Board has completed Public Hearings for amendments to Article IX Section G (Prime Wetland) and Article XI Section E-1 (Aquifer Protection District). The Public Hearings for a replacement/amendment to "sign types" currently in Article III Section 3 are scheduled for December 19, 2007 and January 9, 2008.

REGULATION AMENDMENTS

Mr. Stilwell stated that the amendments the Board wants to make to the Driveway Regulations and the Excavation Regulations have been previously reviewed and are ready to present at a Public Hearing. The Board continued to discuss amendments to the Subdivision Regulations. After a lengthy review, Mr. Holmes made the motion to schedule a Public Hearing for 7:30 pm on January 9, 2007 to consider the following amendments to the Fremont Driveway Regulations, Excavation Regulations and Subdivision Regulations.

Driveway Regulations:

Article 5 section 10: add the word "*minimum*" after "30 feet long", change "such" to "*shall*" in the second sentence; add - *whichever is greater* to the end of the first sentence. The section would then read in part "Where required, culverts must be a minimum of twelve (12)" inch HDPE (or sufficiently similar material) and a *minimum* of thirty (30) feet long and/or extend at least five (5) feet from the edge of pavement or gravel, *whichever is greater*. Such culverts *shall* have an HDPE flare attached or similarly constructed material approved by the Planning Board and/or designee."

Excavation Regulations:

1. Art 3.5.1-C: add - "*and such operation shall further be subject to Site Plan Review.*"
2. Art 4.2 –paragraph 1: replace "6 sets of plans" with *6 full size and 8 11" x 17" sets of plans, at*

- least two of which will be colored. All plans are required to be drawn by a NH licensed Land Surveyor or professional engineer.*
3. Article 4.2: paragraph 2, after sentence 1; add- *A duplicate of the application and plans shall be sent to the Town Engineer and Rockingham Planning Commission for review of completeness at the time of application to the Planning Board*”.
 4. Article 4.3.1: delete “new” and add - “*without reclamation*” at the end of the sentence. Move the balance of the article to a newly created Art 4.3.9.
 5. Article 4.3.9: add new - *Any permitted excavation shall be reclaimed according to the approved application within one (1) year after the permit expiration date. If reclamation is not completed within one (1) year after the permit expiration date, the Town may declare part or all of the bond forfeited, and use these monies to reclaim the site.*
 6. Article 12.7: add new- *Notice of Decision with deed reference to be recorded at the Registry of Deeds by the Planning Board Secretary or designee.*
 7. Article 12 Sec 8: add new - *All mylars to be recorded must be pre-approved by Registry of Deeds.*
 8. Article 13; 13.1.2: amend to - *Upon the filing of an application and within 60 days, the Planning Board will perform an inspection of the excavation site to check the operation and to order any necessary work to be completed by the expiration date in order to be in compliance with the terms of the permit and this ordinance.*
 9. Article 14: sentence 2 –add - *in the form of a cash escrow or irrevocable letter of credit* - after “the surety amount shall be ‘.

Subdivision Regulations:

1. Article II Section 1: paragraph 4 - add - *and the Town Engineer* - after “Commission”
2. Article II Section 7: replace “seventy two (72)” with - *one hundred and forty four (144)* and add - *Notice of Decision, with deed reference, will be recorded at the Registry of Deeds by the Planning Board Secretary or designee.*
3. Article II: add new Section 9-A - *All mylars to be recorded must be pre-approved by Rockingham Registry of Deeds.*
4. Article III Section 2D: sentence 1- replace “6 copies of the plans” with - *6 full size and 8 11” x 17” sets of plans; at least two of the full size plans will be colored*”; and add - *All plans are required to be drawn by a NH licensed Land Surveyor or professional engineer.*
5. Article III Section 2E: add new - *One legible copy of each reference plan must be submitted with the application.*
6. Article III Section 3-L: replace “A High Intensity Soil Survey (HISS)” with *Site Specific Soils Mapping*
7. Article III Section 3-N: add - *street address, recorded deed book and page numbers.*
8. Article III Section 5-C: delete sentence 4
9. Article III Section 5-D: add new- *All Cisterns type and size must be stated and must be approved by the Fire Chief. A detailed plan must be submitted for approval.*
10. Article III Section 5-D: add new - *As a cost savings incentive and overall improvement to public safety and in lieu of the above, a sprinkled development or subdivision may be proposed.*
11. Article III: add new - Section 4-H-1; *Specify elevations for all culverts including driveways (see also Appendix A*
12. Article III Section 7: replace with *All new utilities shall be underground.*

13. Article III Section 9-C: add - *Open Space shall be required for park, playground or other recreational purposes for all subdivisions of ten (10) or more; or thirty (30) acres or more; or thirty (30) housing units or more.*
14. Article III Section 10.02-A.4: add new - *Retention Wall Standards - see Appendix "C".*
15. Article III Section 10.02-K: sentence 1 - add - *screened* prior to "loam".
16. Article III Section 10.02.T: - change- base course for local and private from "2" inches to 2 ½ inches and change wearing course for local and private from "1" inch to 1 ½ inches.
17. Article III Sections 10.06-3, 4, 6, 8, 12, 14, &16: - change - "observed by the Road Agent or the Towns Consulting Engineer" to "*observed by the Road Agent and the Towns Consulting Engineer*"
18. Article III Section 10.01-C-6: - change - "1990" to *current edition*.
19. Article III Section 10.01-C-7: - change - "August 1992" to *current edition*.
20. Article III Section 10-6-A-15-A: - add new - *The top coat shall be completed no later than three (3) years after the application of the base coat*
21. Article III Section 10-06-B-1: - add - *This is to be posted as a cash escrow in custody of the Town Treasurer through the Selectmen's office.*
22. Article III Section 10-06-C: sentence 2 –add-"*cash*" before "escrow"
23. Article III Section 10-08: - add - *The Road Agent and Consulting Engineer shall also submit to the Board of Selectmen written verification that all required improvements have been satisfactorily completed.*
24. Article IV Section 1-A:
 - end of paragraph 1 - add - *and infrastructure within the development.*
 - paragraph 2 sentence 1 - add - *including engineering and engineering contingencies.*
 - paragraph 3 – replace "Board" with *Board of Selectmen*
 - paragraph 4, #1 - add - *through the Selectmen's Office.*
 - paragraph 4, #2- *Delete*
 - paragraph 4, #3 - renumber to #2 and change to - *An Irrevocable Letter of Credit in an amount and manner acceptable to the Board of Selectmen.*
 - Sample forms of acceptable Letters of Credit are available through the Selectmen's office.*
25. Article IV Section 1-B: paragraph 1; - add - *or its qualified agents.*
 - paragraph 4; sentence 1 - add- *in writing* to sentence #1 after "certified".
 - paragraph 6; sentence 1 – add- *in writing* to sentence #1 after "shall certify";
 - replace - "Town's Building Inspector, Code Enforcement Officer, or designee" with *project engineer or the Boards designee;*
 - sentence 2 – add- *in writing* after "shall certify".
26. Article IV Section 1-C: sentence 2 - add – *cash* after "require a"
 - sentence 2 – add – *and following acceptance at Town Meeting.*
 - sentence 3 – add- *or paid for by the developer.*
27. Article IV Section 1-D: - add new; **Fines:** *The provisions of RSA 676:17 shall be applicable. This is specific to include offsite nuisances determined to be generated from the site whether approved or not approved.*
28. Article IV Section 4-L: - add new - *All mylars to be recorded must be pre-approved by Rockingham Registry of Deeds and proof of such approval must be submitted.*

29. Article III Section 10-6-A-15-A: - add new - *The top coat shall be completed no later than three (3) years after the application of the base coat.*

Motion seconded by Mr. Karcz with unanimous favorable vote.

The Excavation Regulations were further discussed relative to ongoing reclamation of an excavation area and it was agreed to further review that subject. It was agreed to carry over a review on a definition section of for all regulations and the question of stump burial locations in the Subdivision Regulations. The Board will review the Site Plan Review Regulations for amendment recommendations at a future meeting.

RICHARD LOTHIAN

Map 6 Lot 062-011-001

The June 22, 2005 Lothian Automotive Site Plan Review was again discussed. There was a conversation relative to some of the improvements Mr. Lothian had agreed to do as a result of his Site Plan Review including building, curbing, parking, signage, tree buffer and vehicle storage area, some of which are still not done. The last site visit was conducted on August 23, 2006 by Mr. Roy and Mr. Stilwell.

Mr. Stilwell reported that Town Counsel was contacted relative to revocation of a Site Plan Review due to non-action by the applicant and counsel had suggested that the applicant be contacted relative to the status of his plan and his intentions prior to pushing the issue of non-compliance. Another site visit to determine site plan review compliance at this time was also discussed. It was agreed that the Board will contact Mr. Lothian to request that he issue a report to the Board by January 15, 2008 stating any progress on the status of his site plan from the time of approval to date.

RSA REVIEW

There was a general conversation relative to the four year subdivision/site plan extension. RSA 674:39 was consulted and discussed relative to potential subdivision and site plan projects. RSA 674:44, Site Plan Review Regulations, was also discussed.

BUDGET

The Board reviewed the General Ledger Expenditure Report for the date ending November 19, 2007 and it was brought to their attention that there are deficits of \$59.44 in line #4191-010 (mileage) and \$25.00 in line #4191-009 (Printing). It was the general consensus of the Board to respectfully request line item transfers from #4191-006 (Expense Reimbursement) to cover these items.

CORRESPONDENCE

There was no incoming correspondence.

Mr. Karcz made the motion to adjourn at 9:45 pm.

Motion seconded by Mr. Holmes with unanimous favorable vote.

Respectfully submitted,
Meredith Bolduc, Secretary